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MOR-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Tatsuru Shirafuji :
Serial No.: 10/536,774 : Group: 2812
Filed: May 26, 2005 :
For: FLUOROARBON ... SAME : Examiner: Mustapha, Abdulfattah B.

Charles A. Muserlian, Inc.
317 Bliss Lane
Valley Cottage, NY 10989
January 19, 2010

PETITION under MPEP 1308

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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01/27/2010

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Sir:

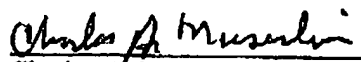
Applicants petition the Commissioner of Patents and Trademarks to withdraw the above application from issue to consider the Information Disclosure Statement dated December 4, 2009 and submitted herewith is PTO Form 2038 for the \$130 petition fee. The issue fee was paid on December 1, 2009 and the document cited by the Korean Patent Office was received from the Japanese Associate by the undersigned on December 2, 2009 and was promptly filed on December 4, 2009. The Patent Office by a paper dated December 14, 2009 refused to consider it since it was filed after payment of the issue fee and suggested that Applicants file a petition under MPEP 1308 resulting in the present petition. Therefore, the Commissioner for Patents and Trademarks is requested to withdraw the application from issue and forward the application to the Examiner to consider the Radcliff et al reference submitted on December 4, 2009.

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submitted by the undersigned after paying the issue fee because it was received a day after payment of the issue fee. Therefore, granting of the petition is believed proper.

Respectfully submitted,


Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 845 268 2462

CAM:mlp
Enclosures

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.

Charles A. Muserlian
Charles A. Muserlian #19,683

1-19-10

Serial No. 10/536,774

MOR-4

**UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231**

REQUEST FOR PATENT FEE REFUND				
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3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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X	No Fee Due (Explanation):			
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		1185 Avenue of the Americas		
		New York, NY 10036		
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Monica A. Graves</u>		TITLE: <u>Paralegal Specialist</u>		
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